

AMENDED IN SENATE AUGUST 20, 2014

AMENDED IN SENATE AUGUST 18, 2014

AMENDED IN SENATE JULY 2, 2014

AMENDED IN ASSEMBLY APRIL 8, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 2721**

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**Introduced by Assembly Member Pan  
(Coauthor: Assembly Member Patterson)**

February 21, 2014

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An act to amend Section 66602 of the Education Code, relating to postsecondary education.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2721, as amended, Pan. Trustees of the California State University: nonfaculty employees.

Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University. Existing law provides for the membership of the Trustees of the California State University to include 5 specified ex officio members, 16 members appointed by the Governor and subject to confirmation by the Senate, one representative of the alumni associations, 2 student members appointed by the Governor, and a faculty member appointed by the Governor.

This bill would revise the membership of the board of trustees by requiring the Governor also to appoint a permanent nonfaculty employee of the university for a 2-year term, as specified. The bill would require a systemwide staff council, as specified, to provide to the Governor a

list of 2 nominees for the Governor's consideration, and would require the Governor to appoint one of the nominees. The bill would provide that the permanent nonfaculty employee member of the board shall receive, for board service only, actual and necessary travel expenses and \$100 for each day he or she is attending to official business of the trustees.

*This bill would incorporate changes to Section 66602 of the Education Code proposed by AB 2324, to become operative if AB 2324 and this bill are chaptered and become effective on or before January 1, 2015, and this bill is chaptered last.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 66602 of the Education Code is amended  
2     to read:  
3     66602. (a) The board shall be composed of the following five  
4     ex officio members: the Governor, the Lieutenant Governor, the  
5     Superintendent of Public Instruction, the Speaker of the Assembly,  
6     and the person named by the trustees to serve as the Chancellor  
7     of the California State University; a representative of the alumni  
8     associations of the state university, selected for a two-year term  
9     by the alumni council, California State University, which  
10    representative shall not be an employee of the California State  
11    University during the two-year term; and 16 members appointed  
12    by the Governor and subject to confirmation by two-thirds of the  
13    membership of the Senate.  
14    (b) (1) Two students from the California State University, who  
15    shall have at least sophomore year standing at the institutions they  
16    attend, and who remain in good standing as students during their  
17    respective terms, shall also be appointed by the Governor to serve  
18    on the board for two-year terms.  
19    (2) In the selection of students as members of the board, the  
20    Governor shall appoint the students from lists of names of at least  
21    two, but not more than five, persons furnished by the governing  
22    board of any statewide student organization that represents the  
23    students of the California State University and the student body  
24    organizations of the campuses of the California State University.  
25    Any appointment to fill a vacancy of a student member shall be

1 effective only for the remainder of the term of the student member's  
2 office that became vacated.

3 (3) The term of office of one student member of the board shall  
4 commence on July 1 of an even-numbered year and expire on June  
5 30 two years thereafter. The term of office of the other student  
6 member of the board shall commence on July 1 of an  
7 odd-numbered year and expire on June 30 two years thereafter.  
8 Notwithstanding paragraph (1), a student member who graduates  
9 from his or her college or university on or after January 1 of the  
10 second year of his or her term of office may serve the remainder  
11 of the term.

12 (4) (A) During the first year of a student member's term, a  
13 student member shall be a member of the board and may attend  
14 all meetings of the board and its committees. At these meetings,  
15 a student member may fully participate in discussion and debate,  
16 but may not vote. During the second year of a student member's  
17 term, a student member may exercise the same right to attend  
18 meetings of the board, and its committees, and shall have the same  
19 right to vote as the members appointed pursuant to subdivision  
20 (a).

21 (B) Notwithstanding subparagraph (A), during the first year of  
22 a student member's term, the student member may vote at a board  
23 meeting if the other student member is absent from that meeting  
24 due to illness, a family emergency, or a medical emergency.

25 (5) Notwithstanding paragraph (4), if a student member resigns  
26 from office or a vacancy is otherwise created in that office during  
27 the second year of a student member's term, the remaining student  
28 member shall immediately assume the office created by the vacancy  
29 and all of the participation privileges of the second-year student  
30 member, including the right to vote, for the remainder of that term  
31 of office.

32 (6) A student member shall have his or her tuition fee waived  
33 for the duration of his or her term of office.

34 (c) (1) A faculty member from the California State University,  
35 who shall be tenured at the California State University campus at  
36 which he or she teaches, shall also be appointed by the Governor  
37 to serve on the board for a two-year term. In the selection of a  
38 faculty member as a member of the board, the Governor shall  
39 appoint the faculty member from a list of names of at least two

1 persons furnished by the Academic Senate of the California State  
2 University.

3 (2) The faculty member of the board appointed by the Governor  
4 pursuant to this subdivision shall not participate on any  
5 subcommittee of the board responsible for collective bargaining  
6 negotiations.

7 (3) The term of office of the faculty member of the board shall  
8 commence on July 1, and shall expire on June 30 two years  
9 thereafter.

10 (d) (1) (A) A permanent nonfaculty employee, who is not in  
11 a management personnel plan, a confidential classification, or an  
12 excluded classification, also shall be appointed by the Governor  
13 to serve on the board for a two-year term. An independent  
14 systemwide staff council formed for this purpose shall provide a  
15 list of two nominees for the Governor's consideration and the  
16 Governor shall appoint one of these nominees.

17 (B) The employee organizations of permanent nonfaculty  
18 employees of the California State University shall fund the council  
19 to be established pursuant to this paragraph.

20 (2) The permanent nonfaculty employee member of the board  
21 appointed pursuant to this subdivision shall not participate on any  
22 subcommittee of the board responsible for collective bargaining  
23 negotiations.

24 (3) The term of office of the permanent nonfaculty employee  
25 member of the board appointed pursuant to this subdivision shall  
26 commence on July 1 and shall expire on June 30 two years  
27 thereafter.

28 (4) The permanent nonfaculty employee member of the board  
29 shall receive compensation for board service only as authorized  
30 pursuant to Section 66604.5.

31 *SEC. 1.5. Section 66602 of the Education Code is amended to*  
32 *read:*

33 66602. (a) The board shall be composed of the following five  
34 ex officio members: the Governor, the Lieutenant Governor, the  
35 Superintendent of Public Instruction, the Speaker of the Assembly,  
36 and the person named by the trustees to serve as the Chancellor  
37 of the California State University; a representative of the alumni  
38 associations of the state university, selected for a two-year term  
39 by the alumni council, California State University, which  
40 representative shall not be an employee of the California State

1 University during the two-year term; and 16 appointive members  
2 appointed by the Governor and subject to confirmation by  
3 two-thirds of the membership of the Senate.

4 (b) (1) Two students from the California State University, who  
5 shall have at least sophomore year standing at the institutions they  
6 attend, and who remain in good standing as students during their  
7 respective terms, shall also be appointed by the Governor to serve  
8 on the board for two-year terms.

9 (2) In the selection of students as members of the board, the  
10 Governor shall appoint the students from lists of names of at least  
11 two, but not more than five, persons furnished by the governing  
12 board of any statewide student organization that represents the  
13 students of the California State University and the student body  
14 organizations of the campuses of the California State University.  
15 Any appointment to fill a vacancy of a student member shall be  
16 effective only for the remainder of the term of the student member's  
17 office that became vacated.

18 (3) The term of office of one student member of the board shall  
19 commence on July 1 of an even-numbered year and expire on June  
20 30 two years thereafter. The term of office of the other student  
21 member of the board shall commence on July 1 of an  
22 odd-numbered year and expire on June 30 two years thereafter.  
23 Notwithstanding paragraph (1), a student member who graduates  
24 from his or her college or university on or after January 1 of the  
25 second year of his or her term of office may serve the remainder  
26 of the term.

27 (4) (A) During the first year of a student member's term, a  
28 student member shall be a member of the board and may attend  
29 all meetings of the board and its committees. At these meetings,  
30 a student member may fully participate in discussion and debate,  
31 but may not vote. During the second year of a student member's  
32 term, a student member may exercise the same right to attend  
33 meetings of the board, and its committees, and shall have the same  
34 right to vote as the members appointed pursuant to subdivision  
35 (a).

36 (B) Notwithstanding subparagraph (A), during the first year of  
37 a student member's term, the student member may vote at a board  
38 meeting if the other student member is absent from that meeting  
39 due to illness, a family emergency, or a medical emergency.

(5) Notwithstanding paragraph (4), if a student member resigns from office or a vacancy is otherwise created in that office during the second year of a student member's term, the remaining student member shall immediately assume the office created by the vacancy and all of the participation privileges of the second-year student member, including the right to vote, for the remainder of that term of office.

(6) A student member shall have his or her tuition fee waived for the duration of his or her term of office.

(c) (1) A faculty member from the California State University, who shall be tenured at the California State University campus at which he or she teaches, shall also be appointed by the Governor to serve on the board for a two-year term. In the selection of a faculty member as a member of the board, the Governor shall appoint the faculty member from a list of names of at least two persons furnished by the Academic Senate of the California State University.

(2) The faculty member of the board appointed by the Governor pursuant to this subdivision shall not participate on any subcommittee of the board responsible for collective bargaining negotiations.

(3) The *two-year* term of office of the faculty member of the board shall commence on July 1, ~~and shall expire on June 30 two years thereafter.~~ *and, if the Governor has not appointed a successor under paragraph (1), the faculty member may remain in office after the term expires for one additional year, or until a successor is appointed by the Governor, whichever occurs first.*

(d) (1) (A) *A permanent nonfaculty employee, who is not in a management personnel plan, a confidential classification, or an excluded classification, also shall be appointed by the Governor to serve on the board for a two-year term. An independent systemwide staff council formed for this purpose shall provide a list of two nominees for the Governor's consideration and the Governor shall appoint one of these nominees.*

(B) *The employee organizations of permanent nonfaculty employees of the California State University shall fund the council to be established pursuant to this paragraph.*

(2) *The permanent nonfaculty employee member of the board appointed pursuant to this subdivision shall not participate on any*

1 *subcommittee of the board responsible for collective bargaining*  
2 *negotiations.*

3 *(3) The term of office of the permanent nonfaculty employee*  
4 *member of the board appointed pursuant to this subdivision shall*  
5 *commence on July 1 and shall expire on June 30 two years*  
6 *thereafter.*

7 *(4) The permanent nonfaculty employee member of the board*  
8 *shall receive compensation for board service only as authorized*  
9 *pursuant to Section 66604.5.*

10 *SEC. 2. Section 1.5 of this bill incorporates amendments to*  
11 *Section 66602 of the Education Code proposed by both this bill*  
12 *and AB 2324. It shall only become operative if (1) both bills are*  
13 *enacted and become effective on or before January 1, 2015, (2)*  
14 *each bill amends Section 66602 of the Education Code, and (3)*  
15 *this bill is enacted after AB 2324, in which case Section 1 of this*  
16 *bill shall not become operative.*